

VANDERSLICE DECL. EXHIBIT A8

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MAXIMILAN KLEIN, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

META PLATFORMS, INC., a Delaware
Corporation

Defendant

Cases Nos.

Case No. 3:20-cv-08570-JD

**DECLARATION OF KYU SUNG LEE IN
SUPPORT OF MOTION TO SEAL**

Judge: Hon. James Donato

DECLARATION OF KYU SUNG LEE

I, Kyu Sung Lee, declare as follows:

1. I am an Executive Vice President at Samsung Electronics Co., Ltd. ("SEC") with responsibility for Global Legal Affairs. I have been employed at SEC since 2001, and in the course of my employment have become familiar with SEC's treatment of its trade secrets and other proprietary business information, such as those discussed in this declaration.

2. I understand that in October 2023, the parties in the above-captioned cases filed Expert Reports and briefing on Plaintiffs' Motion for Class Certification that contain references to Samsung's confidential documents that were designated "Highly Confidential" pursuant to the operative protective orders.

3. Specifically, the parties filed the Advertiser Class Rebuttal Report of Catherine Tucker. *See* Dkt. No. 642-6, Ex. 79; Dkt. No. 659-5, Ex. 3; and Dkt. No. 675-4, Ex. 3. The report contains references to confidential Collaboration Agreements entered into by Samsung. Accordingly, SEC requests that the portions containing such references, as highlighted in Exhibit A to the Declaration, remain under seal.

4. The parties also filed the Reply Expert Report of Scott Fraser. *See* Dkt. No. 642-8, Ex. B; 646-4, Ex. 2; and 667-3, Ex. 2. Similarly, the report contains references to the Collaboration Agreements. SEC, thus, requests that the portions containing such references, as highlighted in Exhibit B to the Declaration, remain under seal.

5. In addition, Meta's Opposition to Advertiser Plaintiff's Motion for Class Certification (Dkt. No. 671-1) also contains references to the Collaboration Agreements. The references can specifically be found at 24:1 and 24:11-12 (parenthetical citation to Tucker report). To maintain the confidentiality of the agreements, SEC requests that the aforementioned references remain under seal.

6. Collaboration Agreements (Bates Nos. PALM-012849950-963; PALM-012850222-233; PALM-012850731-740; PALM-012851583): The Collaboration Agreements contain sensitive, confidential information of SEC that should remain under seal. Specifically, they contain the terms and details of agreement whereby Samsung agreed to purchase advertising. The

1 documents disclose the amount Samsung agreed to purchase, the rates, and the locations of the
2 advertisement. SEC would be competitively disadvantaged if such materials were made public.
3 SEC's sealing request is narrowly tailored to the four Collaboration Agreements and references to
4 the confidential terms and details of the Collaboration Agreements.

5 7. I make this declaration on behalf of SEC pursuant to the Stipulated Order Modifying
6 Sealing Procedures Relating to Class Certification Briefing and Related Documents (Dkt No. 656)
7 to maintain the sealing of SEC confidential information the parties filed. I know the facts stated
8 herein based on my own personal knowledge and, if called as a witness, I could and would testify
9 competently thereto.

10
11 I declare under penalty of perjury of the laws of the United States of America that the
12 foregoing is true and correct. This declaration was executed this 17th day of November 2023, in
13 Seoul, Korea.

14 
15 Kyu Sung Lee
16
17
18
19
20
21
22
23
24
25
26
27
28